

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/31/13

----- X
CHEVRON CORPORATION,

Plaintiff,

-against-

STEVEN R. DONZIGER, et al.,

Defendants.
----- X

Case No. 11 Civ. 0691 (LAK)

**STIPULATION AND ~~PROPOSED~~ ORDER REGARDING ATTORNEYS'
FEES INCURRED BY CHEVRON CORPORATION**

WHEREAS Plaintiff Chevron Corporation is prepared to call Joseph Ryan as an expert witness at trial on the reasonableness of the legal fees incurred by Chevron in obtaining this discovery related to its claims in this action, as well as other litigations; and

WHEREAS the parties have agreed to this stipulation regarding the reasonableness of the legal fees incurred, in lieu of requiring him to appear live to testify at this trial, in an effort to expedite these proceedings;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, as follows:

1. Beginning in December 2009, Plaintiff Chevron Corporation initiated a series of § 1782 proceedings in United States District Courts to obtain discovery from parties residing in the United States regarding an alleged fraudulent scheme, including whether Richard Stalin Cabrera Vega ("Cabrera") had colluded with the Lago Agrio Plaintiffs representatives,

and whether the Cabrera Report was drafted, in whole or in part, by the Lago Agrio Plaintiffs' representatives through agents acting in the United States.

2. Plaintiff Chevron Corporation incurred millions of dollars in legal fees ("Legal Fees Incurred") in connection with the following 28 U.S.C. § 1782 proceedings, including related motions to compel, other motions, and appeals: *Chevron Corp. v. Stratus Consulting, Inc.*, No. 10-cv-00047-MSK-MEH (D. Colo.); *In re Application of Chevron Corp.*, No. 10-MI-00076-TWT (N.D. Ga.); *Chevron Corp. v. Quarles*, No. 10-cv-00686 (M.D. Tenn.); *Chevron Corp. v. Quarles*, No. 10-6035 (6th Cir.); *In re Application of Chevron Corp.*, No. 10-mc-00001-LAK (S.D.N.Y.); *In re Application of Chevron Corp.*, No. 10-1918 (2d Cir.); *In re Application of Chevron Corp.*, No. 10-mc-00002-LAK (S.D.N.Y.); *In re Chevron Corp.*, Nos. 10-4341 & 10-4850 (2d Cir.); and *Chevron Corp. v. Banco Pichincha*, No. 11-cv-24599-MGC (S.D. Fla.).
3. The Legal Fees Incurred were incurred to obtain discovery regarding activities in the United States relating, among other things, to the Lago Agrio Plaintiffs' representatives' relationship with Cabrera, including their financial relationship with Cabrera, and their involvement in drafting the Cabrera Report.
4. That Mr. Ryan would have testified that the Legal Fees Incurred to seek discovery under § 1782 were reasonable and justified based on the allegations set forth in the § 1782 Applications and related appeals as identified at Paragraph 2.
5. Defendants neither concede nor contest that the Legal Fees Incurred were reasonable.
6. This stipulation is for purposes of this case only.

SO STIPULATED

October 31, 2013

GIBSON, DUNN & CRUTCHER LLP

By: Randy M. Mastro

Randy M. Mastro
Andrea E. Neuman
200 Park Avenue
New York, New York 10166
Telephone: 212.351.4000
Facsimile: 212.351.4035

William E. Thomson
333 South Grand Avenue
Los Angeles, California 90071
Telephone: 213.229.7000
Facsimile: 213.229.7520

Attorneys for Chevron Corporation

By: Steven R. Donziger

*Rock
Friedman*
Steven R. Donziger
245 W. 104th Street, #7D
New York, NY 10025
Tel: (917) 678-3943
Fax: (212) 409-8628

*Attorney for Defendants Steven R.
Donziger, Law Offices of Steven R.
Donziger, and Donziger &
Associates, PLLC*

SO ORDERED

[Signature]

10/31/13

By: 

Julio C. Gomez

GOMEZ LLC

111 Quimby Street, Suite 8

Westfield, NJ 07090

Tel: (908) 789-1080

Fax: (908) 789-1080

*Counsel for Defendants Hugo
Gerardo Camacho Naranjo and
Javier Piaguaje Payaguaje*

By: 

Richard H. Friedman

Friedman Rubin

51 University Street, Suite 201

Seattle, WA 98101

Tel: (206) 501-4446

Fax: (206) 782-4358

*Counsel for Defendants Steven R.
Donziger, Law Offices of Steven R.
Donziger, and Donziger & Associ-
ates, PLLC*

By: 

Zoe Littlepage

Littlepage Booth

2043A W. Main Street

Houston, TX 77098

Tel: (713) 529-8000

Fax: (713) 529-8044

*Counsel for Defendants Steven R.
Donziger, Law Offices of Steven R.
Donziger, and Donziger & Associ-
ates, PLLC*

SO ORDERED:

Lewis A. Kaplan

United States District Judge